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KATTEN MUCHIN ROSENMAN LLP
(C/O PATENT ADMINISTRATOR)
2900 K STREET NW, SUITE 200
WASHINGTON, DC 20007-5118

EXAMINER
NEURAUTER, GEORGE C

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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 09/966,733
Filing Date: October 01, 2001
Appellant(s): IEPEREN, TACO VAN

Richard P. Bauer, Reg. No. 31,588
<u>For Appellant</u>

EXAMINER'S ANSWER

This is in response to the appeal brief filed 4 October 2010 appealing from the Office

action mailed 4 November 2009.

(1) Real Party in Interest

The examiner has no comment on the statement, or lack of statement, identifying by name the real party in interest in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The following is a list of claims that are rejected and pending in the application: 1, 2, 5-14, 21-26, 28-32, 34-49, and 51-56.

(4) Status of Amendments After Final

The examiner has no comment on the appellant's statement of the status of amendments after final rejection contained in the brief.

(5) Summary of Claimed Subject Matter

The examiner has no comment on the summary of claimed subject matter contained in the brief.

(6) Grounds of Rejection to be Reviewed on Appeal

The examiner has no comment on the appellant's statement of the grounds of rejection to be reviewed on appeal. Every ground of rejection set forth in the Office action from which the appeal is taken (as modified by any advisory actions) is being maintained by the examiner except for the grounds of rejection (if any) listed under the

subheading "WITHDRAWN REJECTIONS." New grounds of rejection (if any) are

provided under the subheading "NEW GROUNDS OF REJECTION."

(7) Claims Appendix

The examiner has no comment on the copy of the appealed claims contained in

the Appendix to the appellant's brief.

(8) Evidence Relied Upon

Microsoft Corporation. "Exchange 2000 Conferencing Server Concepts and Planning",

August 2000, 47 pages. ("Exchange")

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 5-14, 21-26, 28-31, 34-49, and 51-52 are rejected under 35

U.S.C. 102(b) as being anticipated by "Exchange 2000 Conferencing Server Concepts

and Planning".

Regarding claim 1, "Exchange 2000 Conferencing Server Concepts and

Planning" discloses a method for creating and managing a shared workspace in a

network environment comprising the steps of:

creating a shared workspace accessible to participants of a scheduled meeting;

categorizing data stored in said shared workspace; and exposing said categorized data

stored in said shared workspace to each participant of said scheduled meeting

accessing said shared workspace through a graphical user interface, said graphical

user interface enabling multiple participants to simultaneously input data into

appropriate categories of said shared workspace and simultaneously edit categorized

data exposed through said graphical user interface. (Chapter 2 "Exchange

Conferencing Server Concepts", specifically subsection "Key Components", specifically

the text "Microsoft® Exchange 2000 Conferencing Server enables remote, real-time

collaboration between team members..."; Chapter 2 "Exchange Conferencing Server

Concepts", specifically subsection "Conference Management Service, specifically the

text "When you schedule a conference, Conference Management Server creates a URL

for the conference. Conference attendees then use this URL to access the conference

through conference access pages. Conference Management Service stores all

scheduled conferences in a specific mailbox...This information is used to create a

persistent representation of the conference format, structure, and any additional

information associated with the conference."; Chapter 2 "Exchange Conferencing

Server Concepts", specifically subsection "How Data Conferencing Provider Works",

specifically the text "A data conference has the following features...**Shared Clipboard**

You can share data with other participants by using cut, copy, and paste

operations...**Whiteboard** You can load or sketch diagrams and organizational charts, or

display other graphical information in the multipage, multiuser drawing

application...NetMeeting 3.01 or later is the recommended client software for Data

Conferencing Provider. It provides the features mentioned previously...")

Regarding claim 2, "Exchange 2000 Conferencing Server Concepts and

Planning" discloses the method of claim 1 wherein data stored in said shared

workspace is categorized into two or more of agenda, goals, decisions, tasks, file

attachments, whiteboard notes and drawing categories. (Chapter 2 "Exchange

Conferencing Server Concepts", specifically subsection "How Data Conferencing

Provider Works", specifically the text "A data conference has the following

features...**Shared Clipboard** You can share data with other participants by using cut,

copy, and paste operations...**Whiteboard** You can load or sketch diagrams and

organizational charts, or display other graphical information in the multipage, multiuser

drawing application...")

Regarding claim 5, "Exchange 2000 Conferencing Server Concepts and

Planning" discloses the method of claim 1 wherein changes to categorized data stored

in said shared workspace made by participants are applied to said categorized data

using an optimistic editing model. (Chapter 2 "Exchange Conferencing Server

Concepts", specifically subsection "How Data Conferencing Provider Works",

specifically the text "A data conference has the following features...**Shared Clipboard**

You can <u>share data</u> with other participants by using cut, copy, and paste

operations...**Whiteboard** You can load or sketch diagrams and organizational charts, or

display other graphical information in the multipage, <u>multiuser</u> drawing application...")

Regarding claim 6, "Exchange 2000 Conferencing Server Concepts and

Planning" discloses the method of claim 1 wherein said shared workspace is created

automatically when a new meeting is scheduled. (Chapter 2 "Exchange Conferencing

Server Concepts", specifically subsection "Conference Management Service,

specifically the text "When you schedule a conference, Conference Management Server

creates a URL for the conference. Conference attendees then use this URL to access

the conference through conference access pages. Conference Management Service

stores all scheduled conferences in a specific mailbox...This information is used to

create a persistent representation of the conference format, structure, and any

additional information associated with the conference.")

Regarding claim 7, "Exchange 2000 Conferencing Server Concepts and

Planning" discloses the method of claim 6 further comprising the step of sending a link

to the created shared workspace to each participant of the scheduled meeting. (Chapter

2 "Exchange Conferencing Server Concepts", specifically subsection "Conference

Management Service", specifically the text "When you schedule a conference,

Conference Management Server creates a URL for the conference. Conference

attendees then use this URL to access the conference through conference access

pages."; Chapter 2 "Exchange Conferencing Server Concepts", specifically subsection

"Auxiliary Components", specifically the text "A link (URL) to the online conference is

included in the invitations the conference participants receive...")

Regarding claim 8, "Exchange 2000 Conferencing Server Concepts and

Planning" discloses the method of claim 7 wherein the link is attached to a scheduled

meeting request delivered to each participant of the meeting. (Chapter 2 "Exchange

Conferencing Server Concepts", specifically subsection "Auxiliary Components",

specifically the text "A link (URL) to the online conference is included in the invitations

the conference participants receive...")

Regarding claim 9, "Exchange 2000 Conferencing Server Concepts and

Planning" discloses the method of claim 1 wherein said shared workspace is created for

a new meeting in response to user input. (Chapter 2 "Exchange Conferencing Server

Concepts", specifically subsection "Conference Management Service", specifically the

text "When you schedule a conference, Conference Management Server creates a URL

for the conference. Conference attendees then use this URL to access the conference

through conference access pages. Conference Management Service stores all

scheduled conferences in a specific mailbox...This information is used to create a

persistent representation of the conference format, structure, and any additional

information associated with the conference.")

Regarding claim 10, "Exchange 2000 Conferencing Server Concepts and

Planning" discloses the method of claim 9 further comprising the step of sending a link

to the created shared workspace to each participant of the meeting. (Chapter 2

"Exchange Conferencing Server Concepts", specifically subsection "Conference

Management Service, specifically the text "When you schedule a conference,

Conference Management Server creates a URL for the conference. Conference

attendees then use this URL to access the conference through conference access

pages."; Chapter 2 "Exchange Conferencing Server Concepts", specifically subsection

"Auxiliary Components", specifically the text "A link (URL) to the online conference is included in the invitations the conference participants receive...")

Regarding claim 11, "Exchange 2000 Conferencing Server Concepts and Planning" discloses the method of claim 10 wherein the link is attached to a scheduled meeting request delivered to each participant of the meeting. (Chapter 2 "Exchange Conferencing Server Concepts", specifically subsection "Auxiliary Components", specifically the text "A link (URL) to the online conference is included in the invitations the conference participants receive...")

Regarding claim 12, "Exchange 2000 Conferencing Server Concepts and Planning" discloses the method of claim 1 further comprising the step of restricting access to the categorized data stored in said shared workspace to participants of the scheduled meeting based on network login information. (Chapter 1 "Welcome to Exchange 2000 Conferencing Server", subsection "Using Exchange Conferencing Server in Your Organization", specifically "Conference Management Service receives the user's request and attempts to find the associated conference in the conference calendar mailbox. After Conference Management Service locates the conference definition in the conference calendar mailbox, it determines whether a password or user authentication is required.")

Regarding claim 13, "Exchange 2000 Conferencing Server Concepts and Planning" discloses the method of claim 12 wherein said network login information includes user login identifications. (Chapter 1 "Welcome to Exchange 2000 Conferencing Server", subsection "Using Exchange Conferencing Server in Your

Organization", specifically "Conference Management Service receives the user's

request and attempts to find the associated conference in the conference calendar

mailbox. After Conference Management Service locates the conference definition in the

conference calendar mailbox, it determines whether a password or user authentication

is required.")

Regarding claim 14, "Exchange 2000 Conferencing Server Concepts and

Planning" discloses the method of claim 13 wherein during creation of said shared

workspace, the user login identifications of participants of said scheduled meeting are

stored with said shared workspace, during access to said shared workspace by a user,

the login identification of said user being compared with the login identifications stored

with said shared workspace. (Chapter 1 "Welcome to Exchange 2000 Conferencing

Server", subsection "Using Exchange Conferencing Server in Your Organization",

specifically "Conference Management Service receives the user's request and attempts

to find the associated conference in the conference calendar mailbox. After Conference

Management Service locates the conference definition in the conference calendar

mailbox, it determines whether a password or user authentication is required."; Chapter

2 "Exchange Conferencing Server Concepts", specifically subsection "Security",

specifically the text "You can create a public conference that participants can access

with the correct password. The conference technology provider uses the password to

further limit access...You can create a private conference so that only attendees that

you invite can participate. Conference Management Service, the conference technology

provider, or both, check the credentials of each participant to see if he or she is

authorized to participate in the conference. If Conference Management Service performs the check, it uses IIS to check the user's credentials. Only attendees who have credentials known to IIS can access the conference pages.")

Regarding claim 21, "Exchange 2000 Conferencing Server Concepts and Planning" discloses a system for creating and managing a secure shared workspace for a scheduled meeting (see Chapter 2 "Exchange Conferencing Server Concepts", Figure 2.1) comprising:

a workspace server ("Exchange 2000 Conferencing Server"; see also Chapter 1 "Welcome to Exchange 2000 Conferencing Server", specifically subsection "Conference Management Service" and Chapter 3, Planning Your Exchange Conferencing Server Installation", specifically subsection "Server Requirements") executing a server shared workspace application for creating and managing a shared workspace associated with a scheduled meeting, data stored in said shared workspace being categorized and being accessible only to participants of said scheduled meeting; an email server executing a server email and scheduling application ("Exchange 2000 Conferencing Server" running "Outlook calendar"; see Chapter 3, Planning Your Exchange Conferencing Server Installation", specifically subsection "Server Requirements"; and a plurality of workstations, each of said workstations executing a client email and scheduling application ("Outlook 2000") and a client shared workspace application ("NetMeeting"), said client shared workspace application including a graphical user interface to enable multiple participants of said scheduled meeting to simultaneously access and simultaneously edit categorized data stored in said shared workspace. (Chapter 2

"Exchange Conferencing Server Concepts", specifically subsection "Key Components",

specifically the text "Microsoft® Exchange 2000 Conferencing Server enables remote,

real-time collaboration between team members..."; Chapter 2 "Exchange Conferencing

Server Concepts", specifically subsection "Conference Management Service,

specifically the text "When you schedule a conference, Conference Management Server

creates a URL for the conference. Conference attendees then use this URL to access

the conference through conference access pages. Conference Management Service

stores all scheduled conferences in a specific mailbox...This information is used to

create a persistent representation of the conference format, structure, and any

additional information associated with the conference."; Chapter 2 "Exchange

Conferencing Server Concepts", specifically subsection "How Data Conferencing

Provider Works", specifically the text "A data conference has the following

features...**Shared Clipboard** You can share data with other participants by using cut,

copy, and paste operations...**Whiteboard** You can load or sketch diagrams and

organizational charts, or display other graphical information in the multipage, multiuser

drawing application...NetMeeting 3.01 or later is the recommended client software for

Data Conferencing Provider. It provides the features mentioned previously...")

Regarding claim 22, "Exchange 2000 Conferencing Server Concepts and

Planning" discloses a system according to claim 21 wherein data stored in said shared

workspace is categorized into two or more of agenda, goals, decisions, tasks, file

attachments, whiteboard notes and drawing categories. (Chapter 2 "Exchange

Conferencing Server Concepts", specifically subsection "How Data Conferencing

Provider Works", specifically the text "A data conference has the following

features...**Shared Clipboard** You can share data with other participants by using cut,

copy, and paste operations...**Whiteboard** You can load or sketch diagrams and

organizational charts, or display other graphical information in the multipage, multiuser

drawing application...")

Regarding claim 23, "Exchange 2000 Conferencing Server Concepts and

Planning" discloses a system according to claim 22 wherein the client shared

workspace application communicates with the client email and scheduling application

executed by each workstation, said client shared workspace application intercepting

meeting requests generated by said client email and scheduling application to

determine whether a shared workspace is to be created for a new meeting being

scheduled or whether a shared workspace existing for a scheduled meeting is to be

updated. (Chapter 1, "Welcome to Exchange 2000 Conferencing Server", subsection

"Using Exchange Conferencing Server in Your Organization", specifically the text "You

can directly reserve a conference resource using Outlook 2000. Outlook 2000 checks

the free/busy information for the resource and adds the resource to the invitation if the

resource is available. This gives you a confirmed reservation. When you send an

invitation, the conference resource is reserved and the URL for the conference is

included in the invitations.")

Regarding claim 24, "Exchange 2000 Conferencing Server Concepts and

Planning" discloses a system according to claim 23 wherein said client shared

workspace application instructs the server shared workspace application to create a

shared workspace for a new meeting being scheduled automatically. (Chapter 1,

"Welcome to Exchange 2000 Conferencing Server", subsection "Using Exchange

Conferencing Server in Your Organization", specifically the text "You can directly

reserve a conference resource using Outlook 2000. Outlook 2000 checks the free/busy

information for the resource and adds the resource to the invitation if the resource is

available. This gives you a confirmed reservation. When you send an invitation, the

conference resource is reserved and the URL for the conference is included in the

invitations.")

Regarding claim 25, "Exchange 2000 Conferencing Server Concepts and

Planning" discloses a system according to claim 23 wherein said client shared

workspace application asks the user scheduling the new meeting whether a shared

workspace for the new meeting is to be created and instructs the server shared

workspace application to create a shared workspace for the new meeting when

specified by said user. (Chapter 1, "Welcome to Exchange 2000 Conferencing Server",

subsection "Using Exchange Conferencing Server in Your Organization", specifically the

text "You can directly reserve a conference resource using Outlook 2000. Outlook 2000

checks the free/busy information for the resource and adds the resource to the invitation

if the resource is available. This gives you a confirmed reservation. When you send an

invitation, the conference resource is reserved and the URL for the conference is

included in the invitations.")

Regarding claim 26, "Exchange 2000 Conferencing Server Concepts and

Planning" discloses a system according to claim 23 wherein the client shared

workspace application attaches a link to the shared workspace to the meeting request

generated by the client email and scheduling application before the meeting request is

sent to the server email and scheduling application. (Chapter 1, "Welcome to Exchange

2000 Conferencing Server", subsection "Using Exchange Conferencing Server in Your

Organization", specifically the text "When you send an invitation, the conference

resource is reserved and the URL for the conference is included in the invitations.")

Regarding claim 28, "Exchange 2000 Conferencing Server Concepts and

Planning" discloses a system according to claim 23 wherein changes to data stored in

said shared workspace are applied using an optimistic editing model. (Chapter 2

"Exchange Conferencing Server Concepts", specifically subsection "How Data

Conferencing Provider Works", specifically the text "A data conference has the following

features...**Shared Clipboard** You can share data with other participants by using cut,

copy, and paste operations...**Whiteboard** You can load or sketch diagrams and

organizational charts, or display other graphical information in the multipage, multiuser

drawing application...")

Regarding claim 29, "Exchange 2000 Conferencing Server Concepts and

Planning" discloses a system according to claim 21 wherein said server shared

workspace application restricts access to said shared workspace based on user

network login information. (Chapter 1 "Welcome to Exchange 2000 Conferencing

Server", subsection "Using Exchange Conferencing Server in Your Organization",

specifically "Conference Management Service receives the user's request and attempts

to find the associated conference in the conference calendar mailbox. After Conference

Management Service locates the conference definition in the conference calendar

mailbox, it determines whether a password or user authentication is required.")

Claims 30-31 and 34-43 are also rejected since these claims recite substantially

the same limitations as recited in claims 1-2 and 5-14 respectively.

Claims 44-49 and 51-52 are also rejected since these claims recite substantially

the same limitations as recited in claims 1, 2, 4-6, 9, and 12.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating
    obviousness or nonobviousness.

Claims 53-56 are rejected under 35 U.S.C. 103(a) as being unpatentable over

"Exchange".

Regarding claim 53, "Exchange" disclosed the method of claim 1.

"Exchange" did not expressly disclose wherein when categorized data is edited

on an off-line workspace and the off-line workspace subsequently goes back on-line,

the edits made to the categorized data are automatically sent to said shared workspace,

however, "Exchange" did discloses that when categorized data is edited on a

workspace, the edits made to the categorized data are automatically sent to said shared

workspace as shown above regarding claim 1.

It would have been obvious to one of ordinary skill in the art at the time the

invention was made that, in the context of the disclosures of "Exchange" and in

computer networks in general, network connection errors occur and may result in the

loss of a connection between computers. Since "Exchange" expressly disclosed that

edits are automatically sent to the shared workspace while on-line, it would have made

common sense to one skilled in the art that the sending of data would fail if the

connection to the shared workspace was off-line and that it would be inefficient to lose

the data to send simply because the connection was off-line. One skilled in the art

knows a commonly used technique of queuing data to be sent so that, when the

connection is reestablished, the data is then sent and not lost forever. This would be

preferable in a real-time environment disclosed in "Exchange" to constantly reestablish

lost connections in order to not be aware of data being sent. Therefore, this know

technique could have been easily applied to the teachings of "Exchange" in order to

arrive at the claimed invention and that such a combination would have been

predictable to those skilled in the art.

Claim 54-56 are also rejected since these claims recite substantially the same

limitations as recited in claim 53.

(10) Response to Argument

The Applicant argues that "Exchange" does not anticipate or render obvious the claimed invention. The Examiner respectfully disagrees and submits that the rejections should be sustained based on the following reasoning.

First, the Applicant alleges that the "'conference access pages' have been incorrectly interpreted by the Examiner as the 'shared workspace' element in independent claims 1, 21, 30, and 44" (see page 19 of 37 of the appeal brief) The Examiner submits that the Applicant has mischaracterized the rejection.

The Examiner has maintained in previous Office Actions that "Exchange" clearly disclosed a "whiteboard" and a "shared clipboard" used in a "data conference" or "virtual meeting room:. "Exchange" disclosed that the "Whiteboard" allows you to "load or sketch diagrams and organization charts, or display other graphical information in the multipage, multiuser drawing application" and the "Clipboard" allows users to "share data with other participants by using cut, copy, and paste operations" (see page 6 of "Exchange"). These disclosures in "Exchange" were interpreted by the Examiner to anticipate the claimed "shared workspace" that is claimed wherein the "shared workspace" is enabled by a "multipage, multiuser drawing application" wherein users "share data with other participants" which enables the user to "load or sketch diagrams...or display other graphical information".

The Applicant also argues that "Therefore, there appears to be no dispute that Exchange is simply incapable of permitting simultaneous editing and sending those edits or changes performed on the data on any workstation to a shared workspace, such that those edits are processed sequentially by the shared workspace to update the

shared workspace. As such, Exchange can not possibly anticipate the subject matter of

independent claims 1, 21, 30 and 44." (see page 21 of 37 of the appeal brief). The

Examiner also submits that the Applicant has mischaracterized the claimed invention.

Claim 1 recites "sending edits made to said categorized data at each local

workspace to said shared workspace, said shared workspace processing received edits

to said categorized data <u>sequentially</u> to update said shared workspace <u>thereby enabling</u>

<u>multiple participants to simultaneously input data into appropriate categories of said</u>

<u>shared workspace and simultaneously edit categorized data exposed through said</u>

<u>graphical user interface</u>." Claim 30 similarly recites "sending edits made to said

categorized data at each of said local workspaces to said shared workspace; and

updating said shared workspace by processing received categorized data edits

<u>sequentially</u> <u>thereby enabling multiple participants to simultaneously access and</u>

<u>simultaneously edit categorized data stored in said shared workspace through said</u>

<u>graphical user interface</u>."

Claim 21 and 44 recite:

"...said data being stored to each workstation so that when any participant

chanqes said data on any workstation, the changes are sent by said workstation to said

shared workspace and <u>processed sequentially</u> by said shared workspace to update said

shared workspace <u>thereby enabling</u>" multiple or each "<u>participant[s] of said scheduled</u>

<u>meeting to simultaneously access and simultaneously edit categorized data stored in</u>

<u>said shared workspace</u>."

As can be seen by the claim language, the function of "sequential" "processing" of "categorized data" "edits" or "changes" to "update" the "shared workspace" "enables" "simultaneous" accessing and editing of "categorized data" stored in the shared workspace. Therefore, the Examiner has interpreted the claim wherein when "sequential" "processing" occurs, it "enables" the "simultaneous" accessing and editing. As maintained by the Examiner, as users interact with the "shared workspace" disclosed in "Exchange", it is understood by those skilled in the art that, when a user performs the "sharing" of "data" in, for example, the "Whiteboard" which "Exchange" discloses that the user can "load or sketch diagrams and organizational charts or display other graphical information" (see Chapter 2, subsection "How Data Conferencing Provider Works"), the "sharing" may be made by any user at any time. Therefore, as edits are provided, they are processed in the natural sequential order that they are provided to the "shared workspace". Therefore, this "sequential processing" has been equated by the Examiner to meet the claimed "simultaneous" accessing and editing of "categorized data" stored in the shared workspace.

Furthermore, the Examiner submits that the clause "thereby enabling" may be interpreted as merely expressed the intended result of a process step positively recited. MPEP 2111.04 states that "Claim scope is not limited by claim language that suggests or makes optional but does not require steps to be performed, or by claim language that does not limit a claim to a particular structure." *Minton v. Nat'l Ass'n of Securities Dealers, Inc.*, noted that a "whereby clause in a method claim is not given weight when it simply expresses the intended result of a process step positively recited."

The Applicant also argues that "It appears the Examiner has once again tried to equate the Shared Clipboard data and Whiteboard data of Exchange to "categorized data" within the shared workspace of the claimed invention." and that "Based on the foregoing, it is clear that Exchange does not teach or suggest categorizing data stored in the shared workspace and exposing the categorized data stored in the shared workspace to each participant of the scheduled meeting accessing the shared workspace through a graphical user interface with the graphical user interface enabling each participant exposed through the graphical user interface. None of the Shared Clipboard or Whiteboard data in Exchange is categorized or presented to the participant in any coherent order, as there are simply no defined categories, and clearly anything and everything can be placed on the Shared Clipboard or Whiteboard."

The claims do require that the data be categorized "at the time the data is input into said shared workspace" using "a set of defined categories associated with said shared workspace", However, the Examiner has maintained that the users interacting with the shared workspace are able to categorize the data in any way they see fit. Indeed, one skilled in the art is aware of the face that "whiteboards" allow such to occur since the express purpose of a "whiteboard", in both the computerized and the physical whiteboard itself that is in office meetings and such, is that, in the beginning of a session, the "whiteboard" does not contain any data or, in other words, is a "clean slate" or "clear board". The users, as they interact with the whiteboard, import data and other users are able to edit the data and further provide edits to the provided data.

The Examiner submits that the claims do not expressly disclose how such data is categorized, what specific "set" of categories are intended to be encompassed by the claims, or otherwise recite specific elements that perform the categorizing. Therefore, the Examiner maintains that the users themselves may "categorize" the data using any mentally or verbally agreed on "set" of "categories" to meet the needs of the users. Therefore, the Examiner submits that "Exchange" does anticipate these limitations.

In response to the Applicant's arguments that the Examiner has failed to provide an "articulated rationale in support of why common sense should be applied to Exchange". In the rejection, the Examiner has clearly provided a sufficient rationale that the solution of sending data that has accumulated during a network connection interruption to a local device during a networking session was known in the art as a solution to the problem of dropped network connections and maintaining data streaming coherence by sending any data that may have been lost or not transmitted during the session to the local device upon reestablishment of the connection and that such a solution was identified and predictable and was one of a finite number of solutions for maintaining a coherent data streaming session on an unreliable medium such as a network. Therefore, the Examiner submits that such a rationale adequately explained why such a claimed limitation was obvious to one skilled in the art.

Therefore, the Examiner submits that that any other issues not introduced by the Applicant be rendered moot and that the rejections under "Exchange" be maintained as the reference appears to meet and, therefore, anticipate the claimed invention.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the

Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/George C Neurauter, Jr./

Primary Examiner, Art Unit 2447

Conferees:

/Jude J Jean-Gilles/

Primary Examiner, Art Unit 2447

/Joon H. Hwang/

Supervisory Patent Examiner, Art Unit 2447